

REMARKS

Claims 1-19 are all the claims pending in the application.

Claims 1-6, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa et al. (U.S. Patent No. 4,950,548) in view of Kobayashi et al. (U.S. Patent No. 5,645,909) and Kitabatake (U.S. Patent No. 6,214,107).

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa et al. in view of Kobayashi et al. and Kitabatake '107, and further in view of Bousaoula (U.S. Patent No. 6,054,333) or Smentkowski et al. (U.S. Patent No. 6,008,491).

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa et al. in view of Kobayashi et al. and Kitabatake '107, and further in view of Nagayama et al. (U.S. Patent No. 5,610,392) and Machida et al. (U.S. Patent No. 5,637,445).

Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa et al. in view of Kobayashi et al. and Kitabatake '107, and further in view of Power et al. (U.S. Patent No. 6,614,532) and Marcus et al. (U.S. Patent No. 5,842,387).

Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa et al. in view of Kobayashi et al. and Kitabatake '107, and further in view of Wachi et al. (U.S. Patent No. 6,830,863) and Hoshi (U.S. Patent No. 6,534,240).

The Applicants traverse the rejections and request reconsideration.

Prior Art Rejections

Rejection of claims 1-6, 15 and 16 under 35 U.S.C. 103(a) based on Furusawa, Kobayashi and Kitibakate

The present invention (as recited in claim 1) requires a step of cutting a thin film obliquely followed by analyzing the cut section. As admitted by the Examiner, Furusawa does not disclose (or suggest) a step of cutting the thin film obliquely. Specially, Furusawa cuts the thin film straight.

The Examiner alleges that, the secondary reference Kobayashi overcomes the above deficiency. However, the Examiner's contention is believed to be incorrect. First, Kobayashi does not "cut" a thin film, as the term is used in the present invention (see pages 12-13 of the present Specification).

On the other hand, Kobayashi suggests depositing materials in an oblique fashion followed by etching in an oblique fashion to create the oblique surface (see Kobayashi 3:2-15). The Examiner also refers to Fig. 7 of Kobayashi. However, nothing in Fig. 7 suggests a thin film being cut in an oblique fashion. The Applicants respectfully submit that a skilled artisan would not have been motivated to cut a thin film in an oblique fashion based on the teachings in Kobayashi related to the formation of an oblique surface by CVD followed by oblique etching.

The Examiner appears to be citing the other secondary reference, Kitabatake, for its alleged teaching on analysis of a larger surface area. Kitabatake does not suggest an oblique surface. In fact, it suggests a terrace and step like arrangement. Fig. 4 of Kitabatake clearly shows such a terrace and step like arrangement. Further, there is no suggestion in Kitabatake that such a terrace and step arrangement is used to facilitate a more detailed observation. It

appears from the description related to Fig. 4 (see 12:1-25 of Kitabatake) that the step and terrace arrangement is used to form better SiC grains.

Claim 1 should be allowed at least because the combined teachings of Furusawa, Kobayashi and Kitabatake do not suggest cutting a thin film obliquely and analyzing the cut section.

Claims 2-5, 15 and 16 are dependent on claim 1 and are allowable at least for the same reasons.

Rejection of claims 7 and 8 based on Furusawa, Kobayashi, Kitabatake, in view of Bousaoula or Smentkowski

Claims 7 and 8 are dependent on claim 1 and are allowable at least for the same reasons. Moreover, Bousaoula and Smentkowski do not overcome the deficiencies noted in the teachings of Furusawa, Kobayashi and Kitabatake.

Rejection of claims 9 and 10 based on Furusawa, Kobayashi, Kitabatake, in view of Nagayama and Machida

Claims 9 and 10 are dependent on claim 1 and are allowable at least for the same reasons. Moreover, Nagayama and Machida do not overcome the deficiencies noted in the teachings of Furusawa, Kobayashi and Kitabatake.

Rejection of claims 11-14 based on Furusawa, Kobayashi, Kitabatake, in view of Powers and Marcus

Claims 11-14 are dependent on claim 1 and are allowable at least for the same reasons. Moreover, Powers and Marcus do not overcome the deficiencies noted in the teachings of Furusawa, Kobayashi and Kitabatake.

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Patent Application No.: 10/756,753

Attorney Docket No.: Q79367

Rejection of claims 17-19 based on Furusawa, Kobayashi, Kitabatake, in view of Wachi and Hoshi

Claims 17-19 are dependent on claim 1 and are allowable at least for the same reasons. Moreover, Wachi and Hoshi do not overcome the deficiencies noted in the teachings of Furusawa, Kobayashi and Kitabatake.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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